

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

CERTAIN UNDERWRITERS AT
LLOYD'S AND THOSE COMPANIES
SEVERALLY SUBSCRIBING TO
BOEING POLICY NUMBER
MARCW150053 AND RELATED
POLICIES GOVERNING THE CARGO,

Plaintiff,

vs.

BAUER BUILT, INC.,

Defendant.

8:16CV116

ORDER TO SHOW CAUSE

Filings 349, 350, 357, and 358 were filed under seal by Plaintiff; Filing 364 was filed under seal by Defendant. As to all these filings, counsel did not file a motion to file under seal as required under Nebraska Civil Rule 7.5, and therefore they never obtained the requisite leave of the court to file sealed entries on the court's docket. Furthermore, only the court can see docket entries for sealed filings, and the court's electronic filing system does not serve a copy of such filings on opposing counsel. That may explain why Bauer Built's counsel was unaware that a brief (Filing No. 349) and evidence (Filing No. 350) were filed in support of Plaintiff's motion for summary judgment. See Filing No. 360 (Motion to Strike or in the Alternative, Brief in Opposition to Plaintiffs' Motion for Partial Summary Judgment on Damages).

The court has now changed the filing status for Filings 349, 350, 357, 358 and 364 to "restricted access," meaning only court users and counsel of record can see the docket entries and open the documents. The notices of electronic

filing were regenerated and now all counsel can access to these filings from the court's docket.

However, it is unclear whether restricted access is required; that is, since no request was ever made, the court does not know whether the parties are requesting anything other than public access to Filings 349, 350, 357, 358 and 364.

Accordingly,

IT IS ORDERED that as to Filings 349, 350, 357, 358 and 364, on or before December 7, 2018, the filing parties shall show cause why these filings should not be placed on the court's public docket, in the absence of which the court will lift all filing restrictions and permit public access.

November 28, 2018.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge